

## U. S. DEPARTMENT OF AGRICULTURE,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, CHIEF OF BUREAU.

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### SERVICE AND REGULATORY ANNOUNCEMENTS.<sup>1</sup> SUPPLEMENT.

N. J. 3801-3850.

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#### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

**3801. Misbranding of "Weber's Genuine Alpine Herb Tea." U. S. \* \* \*  
v. 50 Gross \* \* \* of "Weber's Genuine Alpine Herb Tea." Con-  
sent decree of condemnation and forfeiture. Product ordered  
released on bond. (F. & D. No. 6172. I. S. No. 456-k. S. No. E-178.)**

On December, 11, 1914, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 8 shipping containers, each containing 730, more or less, retail packages of "Weber's Genuine Alpine Herb Tea," remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the product had been shipped on October 24, 1914, by the Weber's Medical Tea Co., Brooklyn, N. Y., and transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Each of the retail packages was branded: "Serial No. 846. Guaranteed by Weber's Medical Tea Co., under the Food and Drugs Act, June 30, 1906. Weber's Genuine Alpine Herb Tea. The best and cheapest remedy for purifying the blood and preserving the health. (Design, house.) None genuine without our trade mark Dr. E. Weber's Portrait. 46 Sumner Ave., Brooklyn.

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<sup>1</sup> The Service and Regulatory Announcements of the Bureau of Chemistry are published in conformity with a uniform plan for the issuance of information, instructions, and notices of a regulatory nature by the various branches of the department. During 1915 they will be issued as often as necessary rather than each month, as in 1914, and will be numbered consecutively, beginning with S. R. A., Chem. 13.

Notices of judgment are issued as supplements to the Service and Regulatory Announcements of the Bureau of Chemistry. Beginning with January, 1915, they will be numbered and paged independently of the Service and Regulatory Announcements, the first number being designated as S. R. A., Chem. Suppl. 1.

Free distribution is limited to firms, establishments, journals, and individuals especially concerned. Others desiring copies may buy them from the Superintendent of Documents, Government Printing Office, Washington, D. C.

(Portrait of man.) Reg. U. S. Pat. Off. Weber's Medical Tea Co., 46 and 48 Sumner Ave., Cor. Floyd St., Brooklyn, N. Y. To guard against fraud observe house and portrait of Dr. E. Weber and our address on each package."

It was alleged in the libel that the product was misbranded in that said label on the retail packages contained the following statements regarding the therapeutic effect of said drug product, which were false, fraudulent, and misleading, to wit. "The best \* \* \* remedy for purifying the blood and preserving the health." "Whoever wishes to preserve his health should use this tea often or about one cupful every night, as it purifies the blood, cleanses the system, and keeps the functions of the body in good condition. \* \* \* It also prevents worms and other children's complaints. For women in cases of irregular and imperfect menstruation and for pregnant or confined women it is the best medicine ever discovered. \* \* \* by continued use it is a preventative for all complaints," which said statements were false, fraudulent, and misleading in that said drug product contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed for it therein.

On February 15, 1915, the said Weber's Medical Tea Co., claimant, having admitted the averments of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant company upon payment of all the costs of the proceeding and the execution of a good and sufficient bond in the sum of \$800, in conformity with section 10 of the act; and, further, that the relabeling of the property should be done under the supervision of the chief of the Philadelphia laboratory of the Bureau of Chemistry of the Department of Agriculture.

CARL VROOMAN, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., May 8, 1915.